

TENTH DAY.

Senate Chamber,
Austin, Texas, Jan. 26, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.

Absent—Excused.

Cousins.	Small.
Martin.	

Prayer by Rev. B. J. Forbes, of the House of Representatives.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Hornsby:

S. J. R. No. 6, A Joint Resolution proposing amendments to Section 14 and 16, of Article 8, of the Constitution of Texas, combining the offices of Tax Collector and Assessor of Taxes; providing the time and manner thereof; providing for its submission to the voters of the State of Texas, as required by the Constitution, and making an appropriation therefor.

Read and referred to Committee on Constitutional Amendments.

By Senator Stevenson:

S. B. No. 89, A bill to be entitled

"An Act to amend Section 1 of Chapter 90, Acts of the 41st Legislature, First Called Session, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Parrish:

S. B. No. 90, A bill to be entitled "An Act to create the 92nd Judicial District of Texas, and to designate the counties constituting said District; fixing the time for holding Court therein; reorganize the 32nd Judicial District of Texas and designate the counties constituting said 32nd Judicial District of Texas, and fixing the time for holding court in the various counties of said district; providing for the appointment of a Judge of the newly created 92nd Judicial District of Texas, and for the appointment of a District Attorney for the newly created 92nd Judicial District of Texas, to hold their respective offices until their successors have been elected at the next general election and qualified according to law; providing that the present Judge of said 32nd Judicial District of Texas shall be the Judge of said District as reorganized, and that the present District Attorney of said 32nd Judicial District of Texas shall be the District Attorney of said 32nd Judicial District of Texas as reorganized until their successors shall have been elected and qualified according to law; providing that said District shall each, respectively, elect a District Judge at the next general election and each four years thereafter, and that said Districts shall each, respectively, elect a District Attorney at the next general election and each two years thereafter; validating all process, writs, bonds and recognizances of every kind and character heretofore issued or entered into, and that all grand juries and petit juries selected and drawn under the existing laws by the various counties affected by this Act, and providing that same shall be returnable to, and said jurors shall serve for the next term of Court in the various counties affected after the taking effect of this Act, and providing for the continuation of Courts in session in either of said Districts when this Act takes effect to the end of its term as now provided by law, providing that no

grand jury shall be drawn for the two weeks term of Court to be held in Nolan County on the 23rd Monday after the first Monday in January each year, unless the Judge of said Court, in his discretion, shall order same, repealing all laws and parts of laws in conflict herewith, providing in case any provision of this Act shall be held unconstitutional or invalid, then such holding shall not affect the remaining provisions, and declaring an emergency."

Read and referred to Committee on Judicial Districts.

By Senator Holbrook:

S. B. No. 91, A bill to be entitled "An Act authorizing the acquisition by the government of the United States of America of land, water, or land and water, within the State of Texas, for migratory bird reservations authorized by Act of Congress of February 18, 1929."

Read and referred to Committee on State Affairs.

By Senator Hardin:

S. B. No. 92, A bill to be entitled "An Act creating the Texas Bureau of Criminal Identification: providing for its organizations, defining its powers and duties and making an appropriation to carry out the provisions hereof."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward:

S. B. No. 93, A bill to be entitled "An Act amending Article 7471 of the Revised Civil Statutes of Texas of 1925 so as to provide that in the appropriation of public waters as defined in Article 7467 of the Revised Civil Statutes of 1925, all rights conferred by, through or in the appropriation of such waters for hydro-electric power purposes, shall hereafter be subordinate to and shall remain subordinate to the rights of the State to grant allotments and appropriations thereof for the use of such waters for municipal and domestic purposes (to include animal life comprising food supplies); irrigation purposes and manufacturing and processing purposes (to include mining and similar uses other than the development of hydro-electric power) any law to the contrary not-

withstanding; and amending Article 7472 of the Revised Civil Statutes of the State of Texas of 1925 by adding thereto the following, to-wit: "Provided, however, that all public waters hereafter appropriated or allotted for hydro-electric power purposes, shall be subordinate to and remain subordinate to the rights of the state to appropriate and allot such waters for municipal and domestic purposes (to include animal life comprising food supplies); irrigation purposes and manufacturing and processing purposes (to include mining and similar uses other than the development of hydro-electric power); and providing for the allotment of a sufficient amount of the waters defined in said Articles for the economical operation of machinery used by industries in the manufacturing and processing of raw materials into finished products and for the economical operation of the machinery used in generating electricity other than by hydro-electric power, and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Woodward:

S. B. No. 94, A bill to be entitled "An Act to amend Article 2211 Revised Civil Statutes of 1925 by Incorporating therein a proviso Empowering the Trial Court upon motion and reasonable notice (1) to render judgment non obstante veredicto where a directed verdict would have been proper; and (2) to disregard any special issue jury finding having no support in the evidence; repealing all conflicting laws and parts of laws; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 95, A bill to be entitled "An Act to amend Article 2190 Revised Civil Statutes of 1925 by adding the words "and evidence" at the end of the first sentence; changing the word "testimony" to "evidence" in the last sentence; adding to the last sentence the words "regardless of whether the submission of such issue was requested by the complaining party;" repealing all conflicting laws and parts of laws, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Oneal:

S. B. No. 96, A bill, to be entitled "An Act deferring the ten per cent penalty on the State and County taxes (not including poll taxes) and deferring the ten per cent penalty on common school districts, levied and assessed for the year 1930 which are not paid by the close of January 31st, 1931, and providing that said ten per cent penalty now provided by law shall not accrue and be applied to such taxes until the close of the 21st day of February, 1931, when, if said 1930 taxes are not paid, said ten per cent penalty shall be added to such taxes; and providing that all laws in conflict with this Act shall be subject to and controlled by this Act, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Williamson:

S. B. No. 97, A bill to be entitled "An Act creating the 118th Judicial District of Texas and establishing a new district court within the limits of Bexar county, additional to the district courts now organized and operating in said county; defining the jurisdiction thereof; providing for the appointment of the judge thereof by the Governor until the next general election; providing for the appointment of an official shorthand reporter to serve said court; providing that the sheriff and clerk of the district courts of Bexar County shall act in their respective capacities as sheriff and clerk of the district court herein created; fixing the terms of said court; providing that the district attorney of the 37th Judicial District shall also represent the State in all criminal matters in said 118th Judicial District Court; providing for the transfer of cases; providing that 118th Judicial District Court shall have the right to empanel a grand jury and providing to which cases the said Judicial District Court shall give preference; repealing all laws in conflict herewith and declaring an emergency."

Read and referred to Committee on Judicial Districts.

By Senator Williamson:

S. B. No. 98, A bill to be entitled "An Act exempting from taxation

property owned by a church or strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society, which yields no revenue whatever to such church or society, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 99, A bill to be entitled "An Act prescribing the venue and jurisdiction of offenses committed by convicts who are serving sentences under which they have been committed to the State Penitentiary, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Beck:

S. B. No. 100, A bill to be entitled "An Act amending Section 2, Chapter 185, Acts of the Regular Session of the 41st Legislature, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Beck and others:

S. B. No. 101, A bill to be entitled "An Act authorizing the State to compensate employees engaged in hazardous employment for injuries and injuries resulting in death, received in the course of employment of such employees; enacting regulations and limitations in reference thereto; and declaring an emergency."

Read and referred to Committee on Public Health.

By Senators Russek and Moore:

S. B. No. 102, A bill to be entitled "An Act to prescribe regulations for the licensing of local recording agents and solicitors to represent insurance companies and insurance carriers in this State, excepting life insurance companies and carriers, providing for issuing of licenses and the conditions under which that may continue in effect; defining local recording agents and solicitors to be licensed; prohibiting the engaging in such insurance business without a license; prohibiting an agent knowingly from granting fire insurance in excess of the value of the subject matter, prohibiting rebating and discrimination; providing penalties for violation of the laws; giving to aggrieved parties resort to courts; pro-

viding that the law does not apply to certain representatives of admitted and licensed insurance carriers; repealing laws in conflict; and declaring an emergency."

Read and referred to Committee on Insurance.

By Senators Moore, Greer, Pollard, Beck, Thomason, Neal, and Patton:

S. B. No. 103, A bill to be entitled "An Act for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making an appropriation, and declaring an emergency."

Read and referred to Committee on Public Health.

By Senator Moore:

S. B. No. 104, A bill to be entitled "An Act prohibiting municipal corporations and other legal or political subdivisions of this State, and every officer, agent or representative thereof, from impounding motor vehicles by reason of the violation of any city ordinance or State law relating to traffic; providing for removal of officers violating this Act; prescribing offenses, fines and penalties, and declaring an emergency."

Read and referred to Committee on Highways and Motor Traffic.

By Senator Moore:

S. B. No. 105, A bill to be entitled "An Act amending Article 1728, Revised Civil Statutes of Texas, as amended by Chapter 144, Acts of the Regular Session of the 40th Legislature."

Read and referred to Committee on Civil Jurisprudence.

By Senator Neal:

S. B. No. 106, A bill to be entitled "An Act creating a Committee to be known and styled 'The Texas Centennial Committee.' Said Committee to be composed of nine members, three of whom are to be appointed by the Speaker of the House, three by the Lieutenant Governor and three by the Governor; providing that said Committee shall be commissioned, shall organize by the election of a President, a Vice-President and other necessary officers and employees. That said Committee shall serve without any compensation other than their traveling ex-

penses and hotel bills, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Hardin:

S. B. No. 107, A bill to be entitled "An Act establishing at Meridian in Bosque County, Texas, the Central Texas State Teachers College conditioned upon acquiring good title to the college property of Meridian College now located at Meridian, Texas, for the purposes of said Teachers College; providing for the acceptance of title to said property; providing for the transfer of same to the State; providing for the operation of said State Teachers College by the Board of Regents of the State Teachers Colleges and making it subject to the provisions of the laws of this State relating to State Teachers Colleges; enacting other provisions incidental to the purpose of the Act; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Thomason:

S. B. No. 108, A bill to be entitled "An Act to provide for the licensing and regulation of the business of making loans in sum of Three Hundred (\$300.00) Dollars or less, at a greater rate of interest than ten per centum per annum, except as herein provided, prescribing the maximum rate of interest and the maximum charges therefor; regulating the assignment of wages and salaries, earned or to be earned, when given to a licensee thereunder as security for any such loan, and providing that any such assignment, whether partial or otherwise, shall not be valid and binding upon the employer unless the consent of such employer is first obtained in writing; declaring certain assignments of salary and wages to be loans within the provisions of said Act; making exceptions; providing for the execution of bonds and the issuance and revocation of licenses and prescribing fees therefor; providing for examinations and investigations; making an appropriation; repealing all laws in conflict therewith, and declaring an emergency."

Read and referred to Committee on Banks and Banking.

By Senator Williamson:

S. B. No. 109, A bill to be entitled "An Act to amend Article 3928, Chapter 2 of Title 61 of the Revised Civil Statutes of the State of Texas of 1925, relating to other fees of district clerks, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Williamson:

S. B. No. 110, A bill to be entitled "An Act authorizing the acquisition by the Government of the United States of America of land, water, or land and water, within the State of Texas, for migratory bird reservations authorized by Act of Congress of Feb. 18, 1929."

Read and referred to Committee on State Affairs.

Senators Excused.

The following Senators were excused for the day:

Senator Small, important business, on motion of Senator Hornsby.

Senator Martin, illness, on motion of Senator Hornsby.

Senator Cousins, illness, on motion of Senator Thomason.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Office,

Austin, Texas, Jan. 26, 1931.

To the Texas State Senate:

I hereby appoint the following named persons to the respective offices indicated, subject to your confirmation:

Board of Directors of Agricultural and Mechanical College.

Mr. Raleigh White of Brady, McCulloch County, Re-appointed, for statutory term.

Mr. Jos. Kopecky of Hallettsville, Lavaca County, to succeed Mr. W. A. Wurzbach.

Mr. H. C. Schumacher of Houston, Harris County, re-appointed for the statutory term.

Board of Regents, University of Texas.

Mr. Frank Yount of Beaumont,

Jefferson County, to succeed Mr. H. J. L. Stark.

Mr. Jno. T. Scott of Houston, Harris County, to succeed Mr. Marcellus E. Foster.

Mr. Leslie Waggoner of Dallas, Dallas County, to succeed Mr. Sam Neathery.

Board of Regents, State Teachers Colleges.

Mr. Thos. H. Ball of Houston, Harris County, re-appointed for the statutory term.

Mr. Henry S. Paulus of Yoakum, Lavaca County, re-appointed for the statutory term.

Mr. John E. Hill of Amarillo, Potter County, re-appointed for the Statutory term.

Board of Pardons and Paroles.

Mr. Stanhope Henry of Atascosa County, re-appointed to the next succeeding statutory term.

Respectfully,

R. S. STERLING,
Governor.

Read and referred to the Committee on Governor's Nominations.

Simple Resolution No. 22.

Senator Woodward sent up the following resolution:

Whereas, all experienced persons know that in each State, legislative problems continually increase, both in number and in complexity.

Whereas, it is obvious that in order to solve such problems most effectively, each legislature must give systematic, scientific and business-like consideration to the actual facts which have a bearing upon each question—to the extent that such facts have been determined by a reliable research.

Whereas, each legislature must give similar consideration to the methods and experience of other jurisdictions in dealing with problems similar to its own.

Whereas, no such problems can be dealt with adequately until facilities are established to assist every inquiring legislator to secure the most accurate information and the most expert advice which are available.

Whereas, experience indicates the necessity for an interstate legislative

reference bureau to serve as a clearing house of information between all of the legislative reference services which are now being conducted by numerous states, and also to serve as a clearing house of information between the legislatures and all other agencies which are engaged in the study and analysis of legislative problems, such as governmental departments, political science departments of universities, competent reputable associations, and all other sources of information.

Whereas, experience also indicates that in certain States which do not maintain substantial legislative reference services, there is an imperative need for such an interstate legislative reference bureau, which will assist the legislators of those States to secure whatever information they desire in analyzing the legislative problems which they must determine, and to make more readily accessible for them, without cost, the valuable material which is at all times available from the legislative reference libraries and bureaus of various other states, and from many other reliable sources.

Whereas, every individual legislator in the United States shares the responsibility for improving the present inadequate and unsatisfactory condition of the legislative processes, but neither any individual legislator, nor any group of legislators from one State, can bring about such improvement without the cooperation of legislators of other states.

Whereas, such an interstate legislative reference bureau cannot be maintained by any one State alone, without the cooperation of the legislatures of other States.

Whereas, in order to set the machinery in motion to secure the necessary cooperation of the forty-eight legislatures, members of each legislature are working together in the development of the project of the American Legislators' Association.

Whereas, the Said American Legislators' Association has now established in the vicinity of the University of Chicago, the Interstate Legislative Reference Bureau, which by explicit pledge is without color of politics, partisanship or propaganda, is conducted without profit, and is

engaged upon three principal purposes:

First: to procure promptly for all inquiring state legislators, and their agents, whatever information or advice they desire in connection with any legislative problem, primarily by assisting them to secure, without cost, the benefit of all researches conducted by governmental departments, universities, associations, legislative reference bureaus, and other agencies throughout the United States.

Second: to conduct a systematic study of the legislative processes of each of the States, in order to ascertain the practices which contribute most to efficient and economical organization and procedure; and to render all possible assistance to each legislature—and to each legislative reference bureau—which is endeavoring to improve its organization.

Third: to publish for the benefit of all state legislators the monthly magazine, *State Government*, as well as special Bulletins, and thus to disseminate information which will be helpful to all conscientious students of legislation.

Whereas, the American Legislators' Association is promoting acquaintance and mutual understanding among all individuals and organizations officially concerned with the impartial and scientific functioning of the legislatures of the various States, by the organization of Standing Committees and Advisory Boards, and otherwise.

Whereas, the character and project of the American Legislators' Association have the endorsement, and its organization has the active cooperation, not only of its membership, which consists entirely of members and ex-members of state legislatures, but also of numbers of other responsible citizens, many of whom, having specialized knowledge, are serving on the Association's Advisory Boards.

Now, Therefore, it is Hereby Resolved; That the organization of the American Legislative Association and of the Interstate Legislative Reference Bureau are hereby commended as legitimate and constructive efforts

to assist the legislatures of the various States in the efficient performance of their work.

WOODWARD, MOORE,
GREER, THOMASON.
SMALL,

Read and referred to the Committee on Federal Relations, on motion of Senator Purl.

Simple Resolution No. 23.

Senator Williamson sent up the following resolution:

Whereas, Mr. Will Rogers, America's greatest humorist, is now within the bar of the Senate

Therefore be it resolved that he be extended the courtesies of the floor, and be invited to address the Senate.

WILLIAMSON. PURL.
WOODWARD, PARR,
GAINER, HORNSBY,
WOODRUFF, PARRISH,
HARDIN, RAWLINGS.
POAGE,

Read and adopted.

Will Rogers Speaks.

The Chair appointed Senators Williamson, Woodward, and Hornsby to escort Mr. Rogers to the platform.

The Chair introduced Mr. Rogers, who briefly addressed the Senate.

Committees Appointed.

The Chair announced the appointment of the following Committees:

To arrange for Senate pictures: Senators Neal, Loy, Hardin, Woodward, and Poage.

To assist in investigating charges against District Judge L. J. Brucks: Senators Martin and Hardin.

Permission to Report Bill.

On motion of Senator Patton, the Senate, by a four-fifths vote, authorized the Committee on Judicial Districts to report out certain local bills.

Simple Resolution No. 3.

The Chair laid before the Senate as special order:

S. R. No. 3, Relating to Senate rules.

Senator Stevenson sent up the following amendment:

Amend Rule 5 by adding thereto the following:

"Provided, however, that during said period any bill not of the nature named in the foregoing Rules 3 and 4 which has been considered by a committee after notice has been given of a hearing thereon and which has been by said committee ordered printed, a majority of the committee being present, shall be entitled to be placed on the calendar and finally considered by the Senate without the necessity of obtaining the four-fifths vote mentioned herein."

STEVENSON

Read and adopted.

The resolution as amended was lost by the following vote:

Yeas—19.

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
Gainer.	Patton.
Hardin.	Rawlings.
Holbrook.	Thomason.
Hornsby.	Woodul.
Loy.	Woodruff.
Moore.	Woodward.
Neal.	

Nays—7.

DeBerry.	Russek.
Hopkins.	Stevenson.
Poage.	Williamson.
Purl.	

Present—Not Voting.

Greer.

Absent—Excused.

Cousins.	Pollard.
Martin.	Small.

(Four-fifths vote required.)

Senator Stevenson moved to reconsider the vote by which the resolution was lost. The motion prevailed.

Senator Stevenson moved to reconsider the vote by which his amendment was adopted. The motion prevailed.

Senator Stevenson withdrew the amendment.

Recess.

On motion of Senator Oneal, the Senate, at 11:20 o'clock a. m., recessed until 3 o'clock p. m.

After Recess.

The Senate met at 3:00 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem Carl Hardin.

Simple Resolution No. 3.

The question recurred on S. R. No. 3, Relating to the Senate rules.

Senator Hopkins sent up the following amendment:

Amend Rule 1 by striking out the word "sixty", inserting in lieu thereof the word "thirty".

HOPKINS.

Read and lost.

Senator Purl sent up the following amendment:

Amend Prepared Rules by striking out "60" in Rule 1 and insert in lieu thereof the figures "45."

PURL.

Read and adopted.

Senator Purl sent up the following amendment:

Amend Rule 2 and 5 by striking out "60" and insert "45".

PURL.

Read and adopted.

The resolution as amended was adopted by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Patton.
Cunningham.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Nays—2.

DeBerry. Williamson.

Absent.

Parrish.

Absent—Excused.

Cousins. Small.
Martin.

Senate Bill No. 43.

The Chair laid before the Senate the following bill:

By Senator Berkley:

S. B. No. 43, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the re-purchase of public school land situated in Culberson County, Texas, forfeited and re-appraised under Chapter 94, an Act approved March 19, 1925, and as amended by Chapter 25, an Act approved October 27, 1926, for which applications or the first payment therefor were filed in the Land Office after the expiration of the time allowed by law for the filing thereof, but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon; and declaring an emergency."

The Committee report was adopted.

Read second time and passed to engrossment.

Senate Bill No. 47.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parr:

S. B. No. 47, A bill to be entitled "An Act to provide adequate compensation for first assistant county attorneys in counties having a population of from 75,000 to 80,000 which have voted road and bridge bonds amounting to six million dollars or more and flood protection bonds amounting to one million dollars or more."

Senator Pollard raised the point of order that this was not a local bill and could not be considered during the first 30 days of the Session without the consent of four-fifths of the Senate.

The Chair overruled the point of order, holding it to be a local bill under the new rules.

The Committee report was adopted.

The bill was read second time and passed to engrossment by the following vote:

Yeas—16.

Berkeley.	Hopkins.
Gainer.	Hornsby.
Hardin.	Moore.
Holbrook.	Neal.

Oneal.
Parr.
Patton.
Purl.
Rawlings.
Stevenson.
Thomason.
Woodruff.

Nays—8.

Beck.
Cunningham.
DeBerry.
Greer.
Loy.
Poage.
Pollard.
Woodward.

Absent.

Parrish.
Russek.
Williamson.
Woodul.

Absent—Excused.

Cousins.
Martin.
Small.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 47 was put on its third reading and final passage by the following vote:

Yeas—25.

Beck.
Berkeley.
Cunningham.
DeBerry.
Gainer.
Greer.
Hardin.
Holbrook.
Hopkins.
Hornsby.
Loy.
Moore.
Neal.
Oneal.
Parr.
Patton.
Poage.
Pollard.
Purl.
Rawlings.
Russek.
Stevenson.
Thomason.
Woodruff.
Woodward.

Absent.

Parrish.
Williamson.
Woodul.

Absent—Excused.

Cousins.
Martin.
Small.

Read third time and finally passed by the following vote:

Yeas—18.

Beck.
Berkeley.
Gainer.
Hardin.
Holbrook.
Hopkins.
Hornsby.
Moore.
Neal.
Oneal.
Parr.
Patton.
Purl.
Rawlings.
Russek.
Stevenson.
Thomason.
Woodruff.

Nays—7.

Cunningham.
DeBerry.
Greer.
Loy.
Poage.
Pollard.
Woodward.

Absent.

Parrish.
Williamson.
Woodul.

Absent—Excused.

Cousins.
Martin.
Small.

Senate Bill No. 75.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 75, A bill to be entitled "An Act making appropriations to cover deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1931 and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 75 was but on its third reading and final passage, by the following vote:

Yeas—28.

Beck.
Berkeley.
Cunningham.
DeBerry.
Gainer.
Greer.
Hardin.
Holbrook.
Hopkins.
Hornsby.
Loy.
Moore.
Neal.
Oneal.
Parr.
Parrish.
Patton.
Poage.
Pollard.
Purl.
Rawlings.
Small.
Stevenson.
Thomason.
Williamson.
Woodul.
Woodruff.
Woodward.

Absent—Excused.

Cousins.
Martin.
Russek.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.
Berkeley.
Cunningham.
DeBerry.

Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodul.
Parr.	Woodruff.
Parrish.	Woodward.

Absent—Excused.

Cousins.	Small.
Martin.	

Senate Bill No. 76.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 76, A bill to be entitled "An Act making appropriation to cover deficiencies in appropriations heretofore made for the support of the Judiciary Department of the State Government of the State of Texas, for the fiscal years ending August 31, 1923, '25, '27, '28, '29 and '30, and declaring an emergency."

The bill was read second time.

On motion of Senator Purl, the bill was laid on the table subject to call.

Senate Bill No. 6.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 6, A bill to be entitled "An Act fixing the compensation of District Attorneys in each Judicial District in this State composed of only one county in which county there are two or more District Courts with Concurrent Criminal Jurisdiction, and which District Courts have exclusive jurisdiction of all prosecutions for failing or refusing to pay over money belonging to the State under Chapter two, of Title four, of the Penal Code of 1925, and which District Courts further have Concurrent Jurisdiction with all District Courts in Texas in prosecutions involving the forging and uttering, using or passing of forged instruments in writing which concern or

affect the title to land in this State, under Chapter two of Title Four of Code of Criminal Procedure of 1925; providing how said compensation shall be paid; providing for an assistant district attorney, a special investigator, and a stenographer in each such district; etc., and declaring an emergency."

Read second time.

Senator DeBerry raised the point of order that this was not a local bill.

The Chair sustained the point of order, holding that bills involving the expenditure of State funds were not local bills.

Senator Pollard raised the point of order that the bill had not been properly reported out of the Committee.

The Chair overruled the point of order.

Senator Hornsby moved to take up S. B. No. 6. The motion was lost by the following vote:

Yeas—22.

Beck.	Patton.
Berkeley.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hornsby.	Stevenson.
Loy.	Thomason.
Moore.	Williamson.
Neal.	Woodul.
Oneal.	Woodruff.
Parr.	Woodward.

Nays—2.

DeBerry.	Poage.
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Absent.

Cunningham.	Hopkins.
Gainer.	Parrish.

Absent—Excused.

Cousins.	Small.
Martin.	

(Four-fifths vote—25—required.)

Senate Bill No. 13.

The Chair laid before the Senate on its second reading the following bill:

By Senator Purl:

S. B. No. 13, A bill to be entitled "An Act amending Article 3891 Revised Civil Statutes of Texas of 1925 as amended by Chapter 20 of the

Acts of the Fourth Called Session of the 41st Legislature so as to provide that in all counties having a population of 325,000 or more, and less than 345,000, according to the Federal census of 1930, all county officers and justices of the peace can retain all excess fees until the same, together with the maximum fees allowed by Articles 3883, 3883-A, 3886 shall amount to the sum of \$10,000.00 per annum, and declaring an emergency."

The bill was read second time and passed to engrossment.

The motion of Senator Purl to suspend the constitutional rule requiring bills to be read on three several days was lost by the following vote:

Yeas—23.

Beck.	Patton.
Berkeley.	Poage.
DeBerry.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.
Parr.	

Nays—1.

Gainer.

Absent.

Cunningham.	Russek.
Hopkins.	

Absent—Excused.

Cousins.	Parrish.
Martin.	Small.

(Four-fifths vote—25—required.)

Senate Bill No. 19.

The Chair laid before the Senate on its second reading the following bill:

By Senator Oneal:

S. B. No. 19, A bill to be entitled "An Act to amend Article 7674 7677 and 7684, Chapter 2, Title 128 of the Revised Civil Statutes, 1925, as follows: Amend Article 7674 by providing that by the payment of one-half of the taxes levied for 1931 and each calendar year thereafter on or before the 31st day of January next thereafter, the other one-half

of such taxes shall not become delinquent until the 31st day of July next following; Amend Article 7677 by providing that delinquent tax rolls shall be made up on the 31st day of January and 31st day of July of each year; and amend Article 7684 by providing that if any person shall fail or refuse to pay one-half of the taxes imposed upon him for the calendar year 1931 and each calendar year thereafter on or before the 31st day of January next thereafter, the entire taxes for such calendar year shall become delinquent on such date, providing for penalty of ten per cent on the entire amount of such taxes which shall accrue upon such delinquent taxes, and further providing that if the first half of the taxes levied as aforesaid shall be paid on or before the 31st day of January next after same shall become due, the second half shall become delinquent on the 31st day of July next thereafter, and a like ten per cent penalty added, and that all delinquent taxes, in addition to the penalty aforesaid, shall bear interest at the rate of six per cent per annum from and after August 1st thereafter, dispensing with notices of such taxes to taxpayers, repealing all laws in conflict with the foregoing articles, as amended, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 19 was put on its third reading and final passage' by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Cousins.	Parrish.
Martin.	Small.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Patton.
Cunningham.	Ponge.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Cousins.	Parrish.
Martin.	Small.

Resolution Signed.

The Chair, Lieut. Gov. Edgar Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

H. C. R. No. 8.

Simple Resolution No. 24.

Senator Hardin sent up the following resolution:

A Resolution, To amend Paragraph (1), Section 92 of the Rules of the Senate authorizing admission to the Senate Chamber of all persons outside certain limits.

Be It Resolved by the Senate of the State of Texas:

Whereas, Section 92 of the Rules of the Senate do not permit persons, except those named, to have the privileges of the floor of the Senate to talk and counsel with the representatives of their respective Districts; all of which necessitates the Senators withdrawing from the Chamber of the Senate to talk with their constituents, making a quorum impossible in many instances.

Therefore, Be It Resolved, That Paragraph (1) Section 92 of the Rules of the Senate of the State of Texas be amended so as to hereafter read as follows:

"(1) The members and employees of the Senate and their families, Representatives and employees of the House of Representatives, the Governor and his Private Secretary, the Lieutenant Governor and members of the families of the Lieutenant Governor and Sen-

ators, the officers of the General State Government, the President and Vice-President of the United States, United States Senators and members of Congress, Governors of other States, the Heads of the departments, judges of the Supreme Court, and the Courts of Criminal and Civil Appeals. Provided, that the exceptions herein named shall not apply to any person or persons engaged in lobbying. Provided, however, that the Sergeant at Arms may permit any person who conducts himself in an orderly manner to enter the Senate Chamber; provided, however, that said persons shall not be permitted within the bars or railing of said Senate nor within that area from the extreme East end of said railing on either side of the Senate Chamber that would be included by a line continued from such end directly East to the East wall of such Chamber."

HARDIN.

Read and referred to the Committee on Rules.

Adjournment.

Senator Stevenson moved to adjourn until 2 o'clock p. m., Tuesday. The motion prevailed and at 5:06 o'clock p. m., the Senate adjourned.

APPENDIX.

Petitions and Memorials.

Acknowledging with sincere thanks your kind expression of sympathy.
Mr. and Mrs. Walter Woodul.

Committee on Engrossed Bills.

Committee Room.

Austin, Texas, Jan. 26, 1931.

Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on Engrossed bills have carefully examined Senate Bill No. 30 and find the same correctly Engrossed.

HARDIN, Chairman.

ELEVENTH DAY.

Senate Chamber,

Austin, Texas, Jan. 27, 1931.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.